

File No. 100449

Committee Item No. \_\_\_\_\_  
Board Item No. 23

**COMMITTEE/BOARD OF SUPERVISORS**  
AGENDA PACKET CONTENTS LIST

Committee \_\_\_\_\_

Date \_\_\_\_\_

Board of Supervisors Meeting

Date 05/04/10

**Cmte Board**

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- Legislative Analyst Report
- Introduction Form (for hearings)
- Department/Agency Cover Letter and/or Report
- MOU
- Grant Information Form
- Grant Budget
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- Application
- Public Correspondence

**OTHER** (Use back side if additional space is needed)

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Completed by: Joy Lamug

Date 04/29/10

Completed by: \_\_\_\_\_

Date \_\_\_\_\_

An asterisked item represents the cover sheet to a document that exceeds 20 pages. The complete document is in the file.



1 [Reversing Planning Department Determination of Exemption Issued for 1111 California  
2 Street (Nob Hill Masonic Center) Project]

3 **Motion reversing the determination by the Planning Department that the 1111 California**  
4 **Street (Nob Hill Masonic Center) project is exempt from environmental review.**  
5

6 WHEREAS, On or about January 18, 2010, the Planning Department determined that a  
7 proposal to change the existing non-conforming entertainment to "Other Entertainment," add  
8 permanent food and beverage service, and make interior alterations to the auditorium and  
9 other interior spaces to the property located at 1111 California Street (the "Project") was  
10 exempt from environmental review under the California Environmental Quality Act ("CEQA"),  
11 the CEQA Guidelines and San Francisco Administrative Code Chapter 31 as a Class 32  
12 categorical exemption, an "in-fill" development project (the "exemption determination"). By  
13 letters to the Clerk of the Board, David Millstein, on behalf of Lee Saylor; and Amy Harmer,  
14 Richard Hanson, William Terrell, Adria Price, Aldo Caccamo, David Chow, Donna Muse, and  
15 Elizabeth Pomada (collectively, "Appellants"), received by the Clerk's Office on or around April  
16 5, 2010, appealed the exemption determination; and  
17

18 WHEREAS, On May 4, 2010, this Board held a duly noticed public hearing to consider  
19 the appeal of the exemption determination filed by Appellants, and following the public hearing  
20 reversed the exemption determination; and

21 WHEREAS, In reviewing the appeal of the exemption determination, this Board  
22 reviewed and considered the exemption determination, the appeal letters, the responses to  
23 concerns document that the Planning Department prepared, the other written records before  
24 the Board of Supervisors and all of the public testimony made in support of and opposed to  
25 the exemption determination appeal. Following the conclusion of the public hearing, the

1 Board of Supervisors reversed the exemption determination for the Project based on the  
2 written record before the Board of Supervisors as well as all of the testimony at the public  
3 hearing in support of and opposed to the appeal. The written record and oral testimony in  
4 support of and opposed to the appeal and deliberation of the oral and written testimony at the  
5 public hearing before the Board of Supervisors by all parties and the public in support of and  
6 opposed to the appeal of the exemption determination is in the Clerk of the Board of  
7 Supervisors File No. 100447 and in the Planning Department files, which are  
8 available for public review by appointment at the Planning Department offices at 1650 Mission  
9 Street, and are incorporated in this motion as though set forth in its entirety; now therefore be  
10 it

11           MOVED, That this Board of Supervisors reverses the determination by the Planning  
12 Department that the Project is exempt from environmental review.